

SUMMARY OF THE REJECTION

Claims 9-27, All of the Claims in the Application, Have Been Rejected under 35 U.S.C. 102(b) As Anticipated by McCrea, Jr. (U.S. Patent No. (unspecified) Either 6,093,103 or 6,117,012

It is asserted that the reference shows each and every limitation of the claims, as recited:

Claims 1-8 Have Been Indicated As Allowed

The arguments previously made of record have been accepted and these claims have been indicated as allowed. Minor amendments have been proposed to claims 1, and 5-8 to further clarify the scope of the invention.

RESPONSE TO THE REJECTION

To expedite allowance of this application, claims 9-15, 22-23, 25 and 27, which might involve more complex arguments and even possibly amendments that might not be entered at this stage of prosecution have been cancelled for the convenience of the Applicants.

Claims 1-8 are allowed.

There is a single issue in the Office Action with respect to the remaining claims, 16-27. The single issue is anticipation under 35 USC 102(b) over one of the McCrea Patents, (US Patent 5,605,334). The relevant cited text of the McCrea, Jr. Patent reference is reproduced below, and the independent claims 16 of this application, with highlighted differences following those claims. In addition, claim 16 has been amended to further clarify the scope of the invention.

It is also noted that claim 24 depends from claim 1, and that claim should have also been allowed.

CLAIM 16 (AS AMENDED) OF THE APPLICATION ANALYZED IN VIEW OF THE DISCLOSURE OF McCREA, Jr.

16. (CURRENTLY AMENDED) A method of providing at least one card to a dealer for manual delivery of the cards by a dealer comprising:

placing a set of cards within a card in-feed area;
mechanically moving cards in the order in which cards are received in the card in-feed area to a card delivery area where at least some cards become stationary prior to delivery to the card delivery area;
reading individual cards for at least one of rank, suit or value after the cards are removed from the card in-feed area and before the cards are delivered to the card delivery area.

The method of claim 16 can be distinguished from the method disclosed in McCrea, Jr. because the device of McCrea, Jr. reverses the order of cards fed into area 93a. Claim 16, as amended specifically requires “mechanically moving cards *in the order in which cards are received in the card in-feed area* to a card delivery area where at least some cards become stationary prior to delivery to the card delivery area”. This requirement clearly

avoids any device that shuffles or otherwise reverses the order of cards processed according to the claimed method.

In addition, McCrea Jr. teaches the use of the Verschoor U.S. Patent 5,356,145 shuffler as an alternative to using a dealing shoe. Shuffling the cards between entry and exit is a further basis of distinguishing the method of claim 16 from the combined disclosures of McCrea and Verschoor. The Verschoor reference is incorporated in McCrea, Jr. at column 6, lines 22-37.

Based on this analysis, the claims are clearly not anticipated by McCrea, Jr. The claims have not had to be amended to avoid anticipation. Applicants therefore file this amendment with arguments only, with no amendments to the remaining claims, except to clarify that the order of cards moved from the in-feed area to the card delivery area does not change. It is believed that the basis for the rejection has been overcome and that claim 16, and dependent claims 17-21 and 26 should be allowed.

CONCLUSION

The rejection has been shown to be in error. All remaining claims in this Application are believed to be in condition for allowance. If the Examiner believes that a discussion of any remaining issues could advance this Application towards allowance, he is courteously invited to call the attorney of record at 952.832.9090 to discuss any such remaining issues.

Respectfully submitted,

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I hereby certify that this paper is being transmitted by facsimile to the United States Patent and Trademark Office on the date shown below.


Mark A. Litman

9 MAY 2005
Date